IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7586 OF 2003

Janabai R. Borkar ... Petitioner

v/s

Shri Maruti Devasthan Trust and others ... Respondents

Ms B.P. Jakhade for Petitioner.

Mr V.S. Talkute for Respondent No.1.

CORAM : D.K. DESHMUKH J.

DATE : 15TH JULY 2005.

P.C. :-

1. It is undisputed before me that the appeal itself is fixed for final hearing tomorrow. The Appeal Court is directed to hear and dispose of the appeal as expeditiously as possible and in any case within a period of two months from today. As the appeal itself is ripped for hearing, it is not necessary to entertain this petition which relates to restoration of possession in execution of the decree. According to the petitioners, possession was taken when the stay order granted by the Appeal Court was in force. Since the petition is filed in the year 2003, in my opinion, no useful purpose will be served by interfering with the impugned order at this stage. Interest of justice can be served by directing the Appeal Court to decide the appeal as directed above. Petition is disposed off.

. Parties to act on the copy of this order duly authenticated by the Sheristedar / Personal Secretary of this Court as true copy.

. Certified copy expedited.